THE ADMINISTRATOR GENERAL'S ACT, 1913† (III OF 1913).

G. N., H. D., No. 1/4-II, dated 18th December 1939 (B. G., 1940, Pt. I, p. 4). S. 3 (1)

In exercise of the powers conferred by sub-section (*1*) of section 3 of the Administrator General's Act, 1913 (III of 1913), and in exercise of the functions under the said section 3 entrusted to the Provincial Government by the Government of India, Home Department, Notification No. 202/37-I-Judicial, dated the 8th November 1939, the Government of Bombay is pleased to appoint the Administrator General, Bombay, to be *ex-officio* Administrator General for British Baluchistan and in relation to British subjects in the Indian States, or parts of Indian States, specified below :—

The States within the political charge of the Resident for the States of Western India.

Baroda and the States within the political charge of the Resident for Baroda and the Gujarat States, the States within the political charge of the Resident for Kolhapur and the Deccan States.

The States in Central India other than those in the Bundelkhand Agency (including the Alampur *Pergana* of Indore) and excluding the State of Rewa and the portions of the Indore State occupied by the Malwa Section of the Bombay, Baroda and Central India Railway, south of the river Narbada and the portions of the Bhopal and Kurwai States occupied by the Midland Section of the Great Indian Peninsula Railway, north of Bhilsa.

Gwalior and Khaniadhana, other than the portions of those States occupied by the Bina-Guna-Baran Railway and the Midland Section of the Great Indian Peninsula Railway, north of Bhopal.

The States in Rajputana, excluding the portions of the Bharatpur State occupied by the Agra-Delhi-Chord Railway and by the Cawnpore-Achnera Section of the Bombay, Baroda and Central India Railway.

The District of Abu.

Kalat (including leased areas).

Las Bela.

G. N., H. D., No. 33-E, dated 31st October 1922 (B. G., Pt. I, p. 2526). S. 50 Administrator General's (Bombay) Rules, 1922.

Amended by G. N., H. D., No. 33-E., dated 15th Nov. 1922.
Amended by G. N., H. D., No. 8159, dated 29th July 1925.
Amended by G. N., H. D., No. 9337, dated 9th Feb. 1926.
Amended by G. N., H. D., No. 1560/2, dated 5th Apr. 1927.
Amended by G. N., H. D., No. 1781/2, dated 18th May 1927.
Amended by G. N., H. D., No. 6599/2, dated 13th Mar. 1930.
Amended by G. N., H. D., No. 33-V, dated 29th Apr. 1930.
Amended by G. N., H. D., No. 5575/2, dated 26th May 1931.
Amended by G. N., H. D., No. P. 69, dated 27th Sept. 1932.
Amended by G. N., H. D., No. 958/3, dated 13th Oct. 1932.
Amended by G. N., H. D., No. 4352/3, dated 18th Apr. 1935.
Amended by G. N., H. D., No. 8874/3/4, dated 3rd Jan. 1939.
Amended by G. N., H. D., No. P. 104, dated 20th June 1939.
Amended by G. N., H. D., No. 64/4-VIII, dated 7th June 1945.

† For entrustment of functions of Central Government under sections 3, 4, 27, 32, 42-47 and 50 of the Act, see G. of I., H. D., Notn. No. 202/37-I, Judicial, 8th Nov. 1939, under section 124 (*1*) of the Govt. of India Act, 1935.

In exercise of the powers conferred by section 50 of the Administrator General's Act, 1913 (III of 1913), and in supersession of Government Notifications in the Judicial Department noted in the margin, the Governor in Council is pleased to make the following rules for carrying into effect the objects of the said Act for regulating the proceedings of the Administrator General :—

Government Notification (Judicial Department) No. 2468, dated the 1st April 1914.
Government Notification (Judicial Department) No. 5518, dated the 29th July 1914.
Government Notification (Judicial Department) No. 5729, dated the 26th August 1916.
Government Notification (Judicial Department) No. 3144, dated the 29th March 1920.

1. *Short title.*—These rules may be called the Administrator General's (Bombay) Rules, 1922.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context,

(1) " The Act " means the Administrator General's Act, 1913 (III of 1913) ;

(2) " Administrator General " means the Administrator General of Bombay ;

(3) " Bank " means the Reserve Bank of India ;

(4) " India " means the territory of India excluding the State of Jammu and Kashmir.

3. *Regard to be had to wishes of relatives and others as to disposal of assets.*—The Administrator General shall in all cases use his best endeavours to ascertain the wishes of relatives and others interested as to the disposal of the assets of estates under his administration and shall have regard to such wishes, specially in respect of specific assets to which sentimental or personal associations attach, unless he considers such a course would be prejudicial to the due administration of the estate :

Provided that nothing in this rule shall prevent the immediate disposal of live stock or other assets subject to speedy or natural decay.

4. *Rule under section 9.*—In discharging the duty imposed by section 9 of the Act the Administrator General shall have regard to the following directions, namely :—

(1) If no steps have been taken in any Court of competent jurisdiction to obtain probate or letters of administration, within one month of the date on which the Administrator General has had notice of the death, the Administrator General shall proceed to take the necessary steps to obtain administration :

Provided that, when the name and address of the executor or next-of-kin is known to the Administrator General, the Administrator General shall not proceed in the administration until he has communicated with such executor or next-of-kin in order to ascertain whether he proposes to apply for administration and until a reasonable time has elapsed for the receipt of a reply to such communication ; and where a reply in the affirmative has been received, until the expiration of such further time as would admit of an application for administration being made.

(2) Notwithstanding anything in clause (1) the Administrator General may take immediate action under section 9 if, in his opinion, such a course is necessary to protect the estate.

5. *Transfer under section 25.*—Where a transfer of administration to the Administrator General is made under section 25 of the Act, the Administrator General shall publish a notice in two consecutive issues of the *Bombay Government Gazette* in the following form :—

" The Administrator General of Bombay hereby gives notice that he is administering from the estate of deceased, late of under a Deed of Transfer executed on

under the provisions of section 25 of the Administrator General's Act, 1913, by and that all persons having claims against the said estate as creditors, next-of-kin, legatees or in any other manner whatsoever should prefer their claims to the said Administrator General on or before the after which date he will proceed to make a distribution of the assets of the said estate and will recognise in such distribution only such claims as shall have previously been established to his satisfaction."

(2) The period allowed to claimants to prefer their claims to the Administrator General shall in no case be less than one month from the date of the publication of the said notice, and in any case in which the Administrator General has reason to believe that claimants may be residing out of India, the period shall not be less than two months from the date of such publication.

(3) The expenses of publishing such notices shall be charged to the estate concerned.

6. *Notice to creditors to submit claims under sections 26 (1) and 38.*—The prescribed notice to creditors and others under section 26, sub-section (*1*) and section 38 of the Act to send in their claims against the estate of a deceased person shall be such notice as is given by the High Court in an administration suit, and shall be advertised in such papers as the Administrator General thinks fit; provided that more than one estate may be included in the same notice.

(2) Notice of rejection or disallowance of a claim under section 26, sub-section (*3*), of the Act, shall be given by a letter addressed to the creditor at the address given by him in his communications or other known address, and shall be served (*a*) personally, or (*b*) on his agent, or (*c*) by registered post. In no event shall the funds of the estate be distributed, if there be any doubt as to the sufficiency thereof, until the expiration of one month from the date of the service of notice under section 26 (*3*).

7. *Applications under sections 31 and 32.*—Application for a certificate under section 31 or 32 shall be made by affidavit which should bear a court-fee stamp of the value of one rupee, and shall disclose—

(*a*) the full name and date of death of deceased;

(*b*) the name, address and occupation (if any) of the applicant;

(*c*) the names and ages of the next-of-kin of the deceased as far as known to the applicant;

(*d*) particulars of the assets and the value thereof as far as known to the applicant;

(*e*) an undertaking to duly administer the estate in the event of the certificate being granted; and

(*f*) in case of an application under section 32, full particulars of the debt and whether any security and, if so, what is held for the debt.

8. *Fees payable by estate under section 42.*—The fees mentioned in Schedule I to these rules shall be the fees prescribed under section 42 of the Act, provided that they may be remitted or reduced as provided in these rules.

9. *Reduction of fees.*—If in any case it appears to the Administrator General that the circumstances of an estate administered by him, or proposed to be administered by him, are or will be such as to render his duties in relation thereto exceptionally simple, or otherwise of an exceptional character, justifying in his opinion the remission of part of the fees prescribed in Schedule I, he may remit such

part of the prescribed fees, not exceeding one-half thereof as he may think proper; but in every such case he shall record and file in the proceedings of the estate his reasons for so doing, and shall submit a report of such cases every half-year to the State Government.

10. *Method of payment of fees under section 42.*—The fees payable by any estate in cases falling under heads "(*a*)", "(*b*)" "(*c*)", and "(*e*)" of Schedule I shall be payable to and retained by the Administrator General upon the collection of such assets as consist of money or upon the realisation of such assets which are converted into money, failing which the fees shall be payable upon the distribution of assets, the rates at which the fees are to be charged being ascertained by reference to the estimated value of the estate as set out in the petition for Probate or Letters of Administration if any, as the case may be. Any error made in the scale of fees charged against any estate, by reason of the estimated value thereof proving incorrect, may be rectified at any time when the correct scale to apply has been ascertained.

11. *Fees paid for services under section 11 to be part payment of fees of subsequent administration.*—Where after an order has been made under section 11 of the Act, Letters of Administration are subsequently granted to the Administrator General, the fees charged by him under head "(*c*)" of Schedule I shall be deemed to be a part payment of the fees payable to the Administrator General under head "(*a*)" of the said Schedule.

12. *Inspection, section 49.*—Any person claiming to be interested in the administration of any estate which is in charge of the Administrator General and having satisfied the Administrator General that he is interested, pecuniarily or otherwise, in such estate, shall be entitled to inspection under section 49 of the Act; but no person shall be deemed to be interested in the administration of such estate merely by reason of his being a relation or friend of the next-of-kin of the deceased, or of any other person claiming or alleged to be interested in the estate. Inspection granted under this section shall be taken in the presence of such person or persons as the Administrator General may by general or special order direct. An appeal shall lie to the State Government against any refusal by the Administrator General to allow inspection of any documents in his custody, and the State Government may pass such orders thereon as it may deem proper.

13. *Fees, inspection, production and copies.*—The following shall be the prescribed fees for the purposes of section 49 of the Act, namely :—

(1) For information on any point in respect of an estate regarding which an advertisement has duly appeared—Re. 1.

(2) For inspection of books or documents appertaining to an estate—Re. 1.

(3) For search for information regarding estates which have been wound up, per hour—Rs. 4.

(4) For production of papers, books, etc., in the High Court, per day—Rs. 3.

(5) For production of papers, books, etc., in the Fort, Bombay, elsewhere than in the High Court, per day—Rs. 10.

(6) For production of papers, books, etc., in the City of Bombay, but without the Fort, per day—Rs. 15.

(7) For production of papers, books, etc., in the mofussil—The Administrator General may fix fees according to the circumstances of each case.

(8) For certifying true copies of documents, each certificate—Rs. 4.

(9) For copy of an entry, account, or document relating to any estate—At the rate of annas 8 per folio of 90 words.

14. *Disposal of fees.*—All fees realised by the Administrator General and those under rule 13 after deducting expenses (if any) incurred, shall be paid by him once a month to the credit of the State Government account in the Bank.

15. The Administrator General shall keep the following accounts, statements, and records, namely :—

No. 1, Register of Estates, in which shall be entered, in Form No. 1 in Schedule II to these rules, particulars of assets belonging to each estate, of claims filed against the said estate and payments made in respect thereof, and of the distribution of the balance among the parties entitled thereto.

No. 2, Inventory Book, in which shall be entered, in Form No. 2 in the said Schedule, a list of moveable assets which come into the hands of the Administrator General other than cash or securities. Particulars as to the disposal of such assets shall be entered in this book in appropriate columns.

No. 3, Cash Book, in whch shall be entered, in Form No. 3 in the said Schedule, full particulars of daily transactions whether in cash or otherwise on account of each estate and the amount of fees charged daily in respect of each estate.

No. 4, Ledger Accounts of Estates, which shall contain, in Form No. 4 in the said Schedule, separate and distinct accounts of each estate, and shall show in detail every debit and credit item and every transaction whether in cash, securities or shares relating to each estate.

No. 5, Miscellaneous Ledger, which shall show, in Form No. 5 in the said Schedule, in detail every debit and credit item in respect of the following accounts :—

I Claim and Dividend Account.

II Permanent Advance Account.

III Audit Fee Account.

IV Security Deposits Account.

V Closed Estates Account.

No. 6, Receipt Book, which shall be in Form No. 6 in the said Schedule, and in which there shall be registered, in an annual consecutive series of numbers, all receipts granted by the Administrator General for cash or Government securities or other documents having a money value, detailed particulars of the cash or

documents received being entered in the receipts and in the counterfoils. Each counterfoil shall be initialled by the Administrator General at the time of signing the receipt to which it appertains and after comparison of the receipt therewith.

No. 7, Register of Securities, in which shall be entered, in Form No. 7 in the said Schedule, particulars of all securities of whatsoever nature received or purchased by the Administrator General on account of each estate and his dealing therewith.

No. 8, Interest Book, in which shall be entered, in Form No. 8 in the said Schedule, a statement of half-yearly interest on all Government securities and on all Municipal, Port Trust, and Improvement Trust Debentures held by the Administrator General.

No. 9, Rent Book, in which shall be entered, in Form No. 9 in the said Schedule, the total amount of monthly rent payable to the Administrator General in respect of each immoveable property in his charge and the amount of commission (if any), allowed for collection of such rent. The net rents when paid to the Administrator General shall be entered in this book. Arrears of rent (if any) shall be shown in a separate column.

No. 10, Claim Book, in which shall be entered, in Form No. 10 in the said Schedule, the names and addresses of creditors who have filed claims as against an estate showing the amount of such claims. It shall also contain information as to whether such claims have been admitted or disallowed and each entry in this Book shall be initialled by the Administrator General. It shall further contain particulars of payments made in respect of such claims whether in full or otherwise.

No. 11, Fees Book, in which shall be shown in Form No. 11 in the said Schedule, the total amount of fees as appearing from the cash book and Certificate and miscellaneous fees received daily by the Administrator General. The Fees Book shall also show the total amount of fees paid each month into the Bank to the credit of the State Government together with the date of such payment.

No. 12, Security Deposit Register, in which an account shall be kept, in Form No. 12 in the said Schedule, of all Government and other securities deposited with the Bank under rule 22.

No. 13, Certificate Book, in which copies of all Certificates granted by the Administrator General under section 31 or section 32 of the Act shall be recorded under the initials of the Administrator General. (Form No. 13 in the Schedule).

No. 14, General Index Book, which shall contain, in Form No. 14 in the said Schedule, a list of all estates which have been taken charge of or administered by the Administrator General. In cases where Probates or Letters of Administration

have been granted, the date of grant and the amount of assets on which duty is paid shall be entered in appropriate columns.

No. 15, Outward Register, which shall contain, in Form No. 15 in the said Schedule, particulars of each letter sent out from the office and shall show the amount of postage if any paid on each letter, and also the name of the estate to which the postage is chargeable.

No. 16, Inward Register, which shall contain, in Form No. 16 in the said Schedule an entry in respect of every letter received in the office, showing the date of receipt, sender's name, the estate to which it refers and, how it is disposed of.

No. 17, Letter Delivery Book, in which shall be entered in Form No. 17 in the said Schedule, the names and addresses of persons to whom letters are sent from the Administrator General's office by messengers, with columns for office number of the letters and for the sinatures of the addressees or their agents.

No. 18, Register Remittances, in which shall be noted in Form No. 18 in the said Schedule, all remittances made by the Administrator General through his Official Agent in London on account of estates and the dates on which discharges have been obtained from the parties concerned.

No. 19, Register of Inventories and Accounts, in which all inventories and accounts filed in the High Court by the Administrator General shall be registered in Form No. 19 in the said Schedule.

No. 20, Register of Documents, in which shall be entered in Form No. 20 in the said Schedule, particulars of all documents registered in the Administrator General's office.

15-A. *Preparation of Inventory in the presence of a panch.*—When the estate of a deceased person comes into the possession of the Administrator General an inventory shall be made of the articles taken over. Two persons from among the deceased's relatives or friends or any respectable neighbours who may be available, shall be invited to act as a *panch* while the inventory is being made and to attest it on completion.

16. *Cash Book to be balanced daily and initialled.*—The Cash Book shall be balanced every day on which there are cash transactions and shall be laid before the Administrator General who after checking the entries and satisfying himself that the balance is correct shall initial the balance entry.

17. *Accounts to be closed half-yearly.*—The Administrator General's accounts shall be closed on the 30th day of June and on the 31st day of December in each year, and the Schedules prescribed in rule 33 shall be duly prepared.

18. *All payments to be supported by vouchers.*—Every payment charged in the Administrator General's cash account shall be supported by a voucher, which shall be passed for payment under the Administrator General's initials.

19. *Office cash balance exceeding Rs. 500 to be paid into the Bank.*—The Administrator General shall not at any time retain in his hands a larger cash balance than five hundred rupees; any excess above that sum shall, at the earliest day possible, be lodged to the credit of the general account of the State Government at the Bank in the personal ledger account of the Administrator General.

20. *Investment of cash balances.*—Whenever the cash balance of any estate after providing for ascertained current demands and outgoings amounts to or exceeds five hundred rupees, it shall be invested by the Administrator General in Government securities.

21. *Foreign claims to be registered in Indian Currency.*—The Administrator General shall, for the purpose of the registration of the claims of foreign creditors, convert the sums claimed into rupees at the rate of exchange current upon the date on which any claim is registered and shall remit the sums paid in respect of such claims at the rate current upon which the remittance is made.

22. *Custody of securities.*—All Government securities coming into the possession of the Administrator General shall, on the issue to him of Letters of Administration in the estate concerned, be forthwith lodged by him in the Bank for safe custody, except in any case in which it may be necessary for him to retain them temporarily for any purpose. Debentures, shares and similar documents may either be lodged in the Bank for safe custody or may be retained by the Administrator General in his own custody as he may in each case consider most beneficial to the estate concerned.

23. *Permanent Advance Fund.*—(1) If any money due to an estate cannot immediately be realized, as in the case of refund of stamp duty, the amount so due may be temporarily advanced to the estate out of the Permanent Advance Fund, which shall thereupon be debited with such amount and when the money due has been realized, the Permanent Advance Fund shall be credited with the same.

(2) The Permanent Advance Fund shall also be made use of temporarily for expenses incurred under the following heads and debitable to the Contingency Account, and when the amount of such expenses is received on account of the Contingency Account, the same shall be credited to the Permanent Advance Fund—

(*a*) Postage charges incurred by the Administrator General for his official purposes;

(*b*) The cost of stamps on cheques drawn by the Administrator General in his official capacity;

(*c*) Gari hire where incurred in respect of several estates;

(*d*) and such other charges as are generally debitable to the Contingency Account.

23-A. *Advances to an Estate.*—The Administrator General may make advances for the purpose of any estate in his hands out of any cash balance to the credit of his account with the Bank on such terms as he may think proper.

24. *Claims and Dividends Account.*—The Administrator General may, subject to the provisions of section 26 of the Act, carry over to a separate account, to be called the "Claims and Dividends Account," from the balance of any estate in his charge, assets equivalent to the aggregate amount of all registered and admitted

claims against such estate; and all payments which he shall thereafter make on account of such claims shall be debited to the said account.

25. *Notice after adjustment to registered creditors to apply for payment.*—When an estate has been adjusted and the Administrator General is in a position to pay the creditors of such estate in full or in part out of the assets transferred to the "Claims and Dividends Accounts," notification shall be forwarded by post to the address of every creditor whose claim has been registered and admitted, that the Administrator General is prepared to pay his claim in full or in part, as the case may be, and such creditors shall be requested to apply forthwith to the Administrator General for payment.

26. *Similar notice when further dividend is payable.*—A notification similar to that mentioned in rule 25 shall be forwarded by post to every creditor of an estate whose claim has been registered and admitted, but has not been paid in full, whenever further assets in such estate have been realised, and the Administrator General is in a position to pay further dividend on the registered and admitted claims.

27. *Further notice to registered creditors who have not applied for payment.*—When any creditor to whom a notification under rule 25 or rule 26 has been sent has not, within three months from the date of despatch of such notification, requested payment of the amount payable on his claim, a notice shall be forwarded by registered post to such creditor at his registered address, informing him that the amount payable is at his disposal, and if not claimed within a period of three years from the date of the original notification, such amount as can conveniently be invested will be invested in Government securities at his risk as to depreciation in the value of such securities. The net interest on such securities shall belong to the creditor.

28. *Indivisible balances.*—When the realised assets of an estate are so small in value that the estate is practically indivisible amongst the beneficiaries or creditors entitled thereto, or when after division of an estate a balance remains which, by reason of the number of the beneficiaries or creditors and the small amount of the balance, is practically indivisible amongst such beneficiaries or creditors, such assets or balance shall be transferred, on the closing of the estate accounts, to the Closed Estates Account. Should any further assets of such estate which has been closed be realised, they shall be credited to such estate in the Closed Estates Account, and if the total to credit of such closed estate be practically capable of division amongst the beneficiaries or creditors entitled thereto, the account of such closed estate shall be re-opened in the Ledger Accounts of Estates, and the sum credited to such estate in the Closed Estates Account shall be transferred to the account so re-opened, and shall be distributed amongst the parties entitled thereto. Provided that when the balance of an estate has been transferred to the Closed Estates Account, and no further assets have been credited to such estate in the Closed Estates Account for a period of twelve years from the date of such transfer, the amount standing to credit of such estate in the Closed Estates Account shall be transferred to the State Government as if it were a sum transferable to the State Government under the provisions of section 52 of the Act.

29. *Prescribed authority under section 53.*—The Administrator General shall be the prescribed authority to whose satisfaction any claim to any part of the assets transferred to the account and credit of the State Government shall be established.

30. *Place of payment of claims, etc.*—All moneys payable to beneficiaries or, creditors shall be payable at the office of the Administrator General in Bombay. When payment is remitted by post, the cost of remittance, including postage charge, must be borne by the person at whose request the remittance is made.

31. *Method of payment of claims, etc., beyond India.*—All payments made to persons resident in the United Kingdom shall be made through the Official Agent in London to the Administrators General in India by means of bills of exchange payable on demand in London, drawn by one of such banks or firms as the State Government shall from time to time approve in this behalf. In cases where remittances have to be made to persons residing elsewhere than in India or in the United Kingdom, in the absence of special instructions from the payee as to the method of remittance, the Administrator General shall, where practicable, purchase bills of exchange drawn by some similarly approved bank or firm and payable in the country in which the payee is residing, or shall remit by postal money order, as in his discretion may seem most convenient. Every approval of a bank or firm for the purpose of this rule shall be by an order in writing signed by a Secretary to the Government of Bombay, and shall continue in force until revoked by a like order.

32. *Audit of Administrator General's accounts.*—(1) The Administrator General's accounts shall be audited half-yearly for the periods ending 30th June and 31st December in each year, and these audits shall be directed to ascertain that the accounts have been properly and accurately kept and that all moneys received and disbursed have been accounted for.

The securities held by the Administrator General or on his account shall be verified by the Assistant Examiner, Local Fund Accounts, or by some officer or officers deputed by the Accountant General, Bombay, and shall be certified by him or by them as provided in section 45 (*c*) of the Act.

(2) The costs of, and incidental to, the audit and examination of the Administrator General's accounts shall be met out of the fees levied under rule 8.

33. *Schedules.*—The Administrator General shall twice in every year as soon after the 30th June and 31st December as possible have prepared the undermentioned Schedules in the Forms A, B, C (Part I), C (Part II) and D, respectively, as set forth in Schedule III to these rules, which schedules shall be placed before the auditors for inspection and examination ; on the same being passed by such auditors, the Administrator General shall cause the said schedules to be printed in the Government Central Press and published in the *Bombay Government Gazette*, and shall distribute copies as follows :—

(*a*) * * * * *

(*b*) Two copies shall be forwarded to the Prothonotary and Registrar, Original Jurisdiction, High Court, Bombay, for being exhibited in the said Court.

(*c*) One copy shall be sent to each of the Administrators General of other States.

Schedule A, showing the balance at the close of the period in the account of all estates which have come into the Administrator General's hands, and which have not, at that time, been transferred to any other schedule or handed over to the persons entitled.

Schedule B, showing the balance at the close of the period in the account of each estate previously transferred to the share and legacy account of the persons respectively entitled thereto, and remaining in his hands.

Schedule C (*Part I*), showing the aggregate securities and cash balance standing to the credit of such estates in the Claims and Dividends Account in which moneys have been set apart to meet the registered and admitted claims of creditors and transferred to the Claims and Dividends Account more than three years prior to the period covered by the schedule, and the amounts transferred to this part during such period, the payments made thereout and the aggregate closing balance of securities and cash.

Schedule C (*Part II*), showing the balances of assets which have been set apart within three years of the period covered by the schedule to meet registered and admitted claims against any of the estates in his charge, and the opening balances, receipts, payments and closing balances in this part of the said period.

Schedule D, showing all estates whereof the final balances have been paid over to the persons entitled to the same during the period covered by the schedule, specifying the amount of such balances and the persons to whom paid.

34. *Yearly statement of assets to be transferred under section 52.*—The Administrator General shall, at the audit of his accounts for any period ending on the 31st December of any year, submit to the auditors for verification a statement of assets liable at the close of the same year to be transferred under section 52 of the Act to the State Government.

35. *Subjects of Foreign States.*—On receipt of notice of the death of any person who was, or who the Administrator General has reason to suppose may have been, the subject of any Foreign State to which the provisions of section 57 of the Act apply, the Administrator General shall forthwith give notice of such death to the Consular Officer of such Foreign State at Bombay, and shall inform the District Judge who has reported such death, of his having done so. In such a case the Administrator General shall take no steps to administer or in any way deal with such estate without the consent of such Consular Officer, or until he has expressed his intention of not moving in the matter.

36. *Destruction of papers and records.*—The books and papers mentioned in the accompanying list may be destroyed or disposed of by the Administrator General at the times mentioned therein or as soon thereafter as may be convenient :—

(1) Private papers, bills, receipts, account books, memoranda and other similar documents of no permanent value received by the Administrator General along with an estate, and which have not in the meantime been claimed by the next-of-kin or any other person entitled thereto, one year from the date of taking charge.

(2) Fair cash book, six years from the date of last entry.

(3) Rough cash book, three years from the date of last entry.

(4) Rent book, five years from the date of last entry.

(5) Correspondence relating to any estate, two years after the estate is finally wound up.

(6) Inward Register, three years from the date of last entry.

(7) Outward Register, three years from the date of last entry.

(8) Letter Delivery Book, three years from the date of last entry.

(9) Register of Remittances, three years from the date of last entry.

(10) Fees Book, three years from the date of last entry.

(11) Interest Book, three years from the date of last entry.

(12) Counterfoil Receipt Book, three years from the date of last entry.

37. *Return under Regimental Debts Act, 1893.*—The Administrator General shall twice in every year as soon after the 30th June and 31st December as possible submit to the Secretary to the Government of India, Army Department, a return of estates dealt with under the Regimental Debts Act, 1893 (56 and 57 Vict., c. 5), showing the manner in which they have been disposed of.

38. *Accountant to execute bond.*—The Accountant in the Administrator General's office shall on appointment be required to execute, in the form set forth in Schedule IV to these rules, a security bond in the sum of Rs. 1,000, and either to deposit Government paper of that market value, duly endorsed, accompanied by a power to sell, or to furnish two sureties.

SCHEDULE I.

(*See* Rule 8.)

(*a*) Fees payable in cases where the Administrator General has obtained Probate or Letters of Administration.

The scale of fees shall be as follows :—

(1) Where the ascertained value of the estate does not exceed Rs. 1,00,000, a fee of 5 per cent. on such value with a minimum fee of Rs. 15.

(2) Where the ascertained value of the estate exceeds Rs. 1,00,000, and does not exceed Rs. 2,00,000, a fee of 4½ per cent. on such value.

(3) Where the ascertained value of the estate exceeds Rs. 2,00,000 and does not exceed Rs. 5,00,000, a fee of 4 per cent. on such value.

(4) Where the ascertained value of the estate exceeds Rs. 5,00,000 and does not exceed Rs. 10,00,000, a fee of 3½ per cent. on such value.

(5) Where the ascertained value of the estate exceeds Rs. 10,00,000, a fee of 3 per cent. on such value.

(*b*) Fees payable in cases where the Administrator General has taken charge of an estate under section 32 of the Act :—

(1) A fee of 5 per cent. on every Rs. 100 or part thereof of the value of all assets taken possession of or realized, with a minimum fee of Rs. 10.

(*c*) Fees payable in cases where the Administrator General is in charge under an Order made under section 11 of the Act :—

(1) A fee of two per cent. on the value of assets taken possession of, collected, realised or sold, with a minimum fee of Rs. 15.

(*d*) Fees payable in cases where the Administrator General has granted a certificate under section 31 or 32 of the Act :—

(1) A fee of Rs. 3 on every Rs. 100 or part thereof of the value of the assets covered by the certificate, with a minimum fee of Rs. 6. Provided that no fee shall be payable in respect of certificate when it appears from the affidavit on which such certificate is granted that the deceased, whose assets are covered by such certificate, was a person subject to military law, who has been killed or has died of wound inflicted, accident occurring, or disease contracted within twelve months before death while on active service in war.

(*e*) Fees payable in case where the Administrator General deals with an estate under the Regimental Debts Act, 1893 (*vide* sections 15, 16, 17 and 42) :—

(1) A fee of three per cent. on the value of assets taken possession of or realised as provided by section 14 (*5*) of the Regimental Debts Act, 1893.

SCHEDULE II.

Form No. 1—Register of Estates.

Estate— late

Date of deceased's death L/A granted on Advertised on Adjusted on

Date of information.	Assets. (Total Value Realised Rs.)					
	Nature.		Estimated Value.	Amount realised.	When realised.	Value of Assets reserved.
	Moveable.	Immoveable.				
			Rs.	Rs.		Rs.

Claims. (Total Rs.)				Balance. Rs.		
Name and Claimants.	Amount claimed.	Amount allowed.	Paid in full or dividend at.	Names of Next-of-kin.	Proofs of Title received.	How disposed of.
	Rs.	Rs.	Rs.			

Form No. 2—Inventory Book.

Inventory taken this day of of the Estate of received from

Serial No.	No. of articles.	Description of articles.	Weight as per Inventory.		Value of articles reserved from sale.		
			Tolas.	Vals.	Rs.	a.	p.

Value of articles sold.			Date of sale.		Name of the person to whom articles are handed over.	Date of handing over.	
Rs.	a,	p.					

Form No. 3—Cash Book.

Folio.	Voucher No.		Fees under Schedule I.			Bank or other shares.	Securities.	Receipts.					
								Bank.			Cash.		
			Rs.	a.	p.			Rs.	a.	p.	Rs.	a.	p.

Folio.	Voucher No.		Fees under Schedule I.			Bank or other shares.	Securities.	Payments.					
								Bank.			Cash.		
			Rs.	a.	p.			Rs.	a.	p.	Rs.	a.	p.

Form No. 4—Ledger Accounts of Estates.

Dr. Account Current of the Estate of

Date.	Page of Cash Book.					Bank or other shares.	Securities.	Cash.		
			Rs.	a.	p.			Rs.	a.	p.

Cr.

Date.	Page of Cash Book.					Bank or other shares.	Securities.	Cash.		
			Rs.	a.	p.			Rs.	a.	p.

Form No. 5—Miscellaneous Ledger.

Dr. Account Current of

Date.	Page of Cash Book.	Particulars.	Securities.	Cash.		
				Rs.	a.	p.

Cr.

Date.	Page of Cash Book	Particulars.	Securities.	Cash.		
				Rs.	a.	p.

Form No. 6—Receipt Book.

No.

Date 19

Estate

Received from

the sum of Rupees

being

Rs.

Administrator General.

No.

Date 19

Estate

Received from

the sum of Rupees

being

Rs.

Administrator General.

Form No. 7—Register of Securities.

Estate of

Date.	Whether purchased or transferred from any other Estate.	Distinctive numbers of notes.	Loan.	Amount.	Price paid.			Date.	
				Rs.	Rs.	a.	p.		

Whether sold in Bazaar or transferred to any other Estate.	Price realized.			Renewal.			
				Distinctive numbers of notes.	Fee.		Date.
	Rs.	a.	p.		Rs.	a.	

Form No. 8—Interest Book.

Interest on due on realized on

Ledger Folio.	Names of Estates.	Amount of Notes.	Interest.		
			Rs.	a.	p.

Income Tax.			Net interest.			Rate of fees.	Amount of fees.		
Rs.	a.	p.	Rs.	a.	p.	Rs.	Rs.	a.	p.

Form No. 9—Rent Book for the half-year ending 19 .

Names of Estates.	Property. No.	Monthly Rent. Rs.	a.	p.	Commission if any allowed for collection. Rs.	a.	Accountant General's Initial.	Names of Tenants.	Months for which rent is recovered and Date of Credit in account. January. Rs.	a.	p.	Date.	February. Rs.	a.	p.	Date.

March. Rs.	a.	p.	Date.	April. Rs.	a.	p.	Date.	May. Rs.	a.	p.	Date.	June. Rs.	a.	p.	Date.	Arrears.	Remarks.

Form No. 10—Claim Book.

Estate of

Date of deceased's death Date of taking charge Date of Grant of Letters of Administration

Date of Advertisement

No.	Date of Receipt.	Name of Claimant.	Address of Claimant.	Amount for which claim is preferred.			Remarks.
				Rs.	a.	p.	

Date on which claim is registered.		Amount for which claim is registered.			Amounts payable						Signature—Payee or his Agent.	Administrator General's Initials.
					In full or first Dividend at per cent. declared on.			Second Dividend per cent. declared on				
		Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.		

Form No. 11—Fees Book.

Fees for the month of 19 .

Date.	Particulars.	Fees realised under Schedule I.	Certificate fees.

Search and other miscellaneous fees.	Date.	.....	.....
		By fees paid into the Imperial Bank of India, Bombay, to credit of the State Government.	

Form No. 12—Security Deposit Register.

Administrator General's Account of Government Promissory Notes and other public Securities with the Imperial Bank of India, Bombay, for the half year ending

Date of Deposit.	——	3½ per cent. Loan of 1842–43.	3½ per cent. Loan of 1854–55.	3½ per cent. Loan of 1865.	3½ per cent. Loan of 1879.	3½ per cent. Loan of 1900–01.
		Amount.	Amount.	Amount.	Amount.	Amount.
Date of withdrawal.	Total ...					
	Total ...					
	Balance ...					
	Total ...					

3 per cent. Loan of 1896–97.	4 per cent. Ter. Loan of 1915–16.	4 per cent. Con. Loan of 1916–17.	5 per cent. I. W. L. 1929–47.	5 per cent. Tax Free Loan 1945–55.	5½ per cent. War Bonds 1922–25.	5½ per cent. War Bonds 1928.	6 per cent. Government of India Bonds.	Municipal and other Bonds.
Amount.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.

Form No. 13—Certificate Book.

No. of 19 .

ESTATE of

Fees paid Rs.

Under the provisions of section 31 of the Administrator General's Act, 1913 (III of 1913), I hereby certify that having undertaken to administer the estate of the abovenamed deceased within the State of Bombay, in accordance with the Law is entitled as

of the said deceased to receive the assets hereunder mentioned, which assets, as appears from the affidavit filed herein, were the whole of the assets left by the said deceased within the State of Bombay and did not at the date of the death of the deceased exceed Rupees two thousand in value.

Particulars of Assets.

Given under my hand and seal this day of 19 .

Administrator General.

Administrator General's Office,
Bombay, day of 19

Seal.

Form No. 14—General Index Book.

Name of Estate.	Date of Grant.	Date of taking charge.	Value of Estate on which Probate Duty is paid.			Amount of Probate Duty.			Remarks.
			Rs.	a.	p.	Rs.	a.	p.	

Form No. 15—Administrator General's Outward Register.

No.	Date.	Name of Estate.	To whom addressed.	Station.	Amount of Postage.			To what account charged.	When charged.
					Rs.	a.	p.		

Form No. 16—Inward Register.

Date of Receipts.	Date of Letter.	From whom received.	Name of Estate.	How disposed of

Form No. 17—Letter Delivery Book.

Date of Despatch.	Number of Letter or Name of Statement.	To whom sent (address).	Peon's Name.	Initial of Receiver with date and hour of delivery.

Form No. 18—Register of Remittances.

Register of payments made through the official Agent to the Administrators General, India Office, London.

Date of Remittance.	Name of Estate.	Bank.	Number of Bank Bill.	Amount in Rupees.			Rate of Exchange.	Amount in Sterling.			To whom payable.	Number of Receipt.
				Rs.	a.	p.		Rs.	a.	p.		

Form No. 19—Register of Inventory and Accounts filed in the High Court by the Administrator General.

Date of filing Inventory and Accounts.	Estate.	Total amount of Inventory.		

Form No. 20—Register of Powers of Attorney, Probates, Certificates, etc.

Serial No.	Date of Registration.	Date of Document.	Description of Document.	Name of Principal.	To whom granted.	Examined by	Administrator General's initials.

SCHEDULE III.

A

Schedule of Balances of all Estates which have come into the Administrator General's hand, and which have not been transferred to any other Schedule or handed over to the persons entitled, on the

Estates.	Date of Administration.	Government Securities.	Bank or other Shares.	Cash.	
				To credit.	To debit.
				Rs. a. p.	Rs. a. p.

B

Legacy and Share Accounts.

Estates.	Date of Administration.	Balance on			
		Government Securities.	Bank or other Shares.	Cash.	
				To credit.	To debit.
				Rs. a. p.	Rs. a. p.

C (PART I)

Schedule of the aggregate Securities and Cash Balances in the hands of the Administrator-General on of the monies set apart to meet the admitted claims of creditors against the Estates in which transfers were made to the Dividend Account more than three years prior to the said date.

Estates.	Date of Administration.	Balance on				Receipts.			
		Government Securities.	Cash.			Government Securities.	Cash.		
			Rs.	a.	p.		Rs.	a.	p.

Total.				Payments.				Balance on			
Government Securities.	Cash.			Government Securities.	Cash.			Government Securities.	Cash.		
	Rs.	a.	p.		Rs.	a.	p.		Rs.	a.	p.

C (PART II).

Schedule of Balances in the hands of the Administrator-General on *set apart to meet the admitted claims of creditors against the Estates therein mentioned, in which estates transfers were made to the Dividend Account within three years from the said date.*

Estates.	Date of Administration.	Balance on			Receipts.			Total.			Payments.			Balance on		
		Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.

Estates.	Date of Administration.	Balance on			Receipts.			Total.			Payments.			Balance on		
		Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.

D

Schedule of all Administrations whereof the final Balances have been paid over to the Persons entitled to the same, specifying the amount of such Balances and the Persons to whom paid; prepared for the half-year ending

Estate.	Date of Administration.	Date of Payment.	Securities.	Cash.			Parties to whom paid.
				Rs.	a.	p.	

SCHEDULE IV.

Draft Form of Bond referred to in Rule 38.

WHEREAS I have been appointed to the office of the Accountant to the Administrator General of Bombay and have been required to furnish security for the due discharge of the trusts of the said office, and for the due account of all moneys, papers and other property which shall come into my possession or under my control by reason of such office (*a*)AND WHEREAS I have deposited with and endorsed over to the Administrator General of Bombay the Government securities mentioned in the margin of the aggregate market value of one thousand rupees (Rs. 1,000) as additional security over and above this written bond for the due discharge of the aforesaid trusts and for the due account of the aforesaid property(*b*) I hereby bind myself to pay to the Governor of Bombay (hereinafter referred to as the "Government") the amount of any loss of defalcation in my accounts and to deliver up on demand any papers or other property within such time and to such person as shall be determined by the Administrator General of Bombay such demand to be in writing and to be left at my office or place of residence, and in case of my making default therein I bind myself to forfeit to the Government the sum of one thousand rupees (Rs. 1,000) (*a*)And I hereby authorise the Administrator General of Bombay to sell and dispose of the said Government securities or any Government security for which with the consent of the Administrator General of Bombay, they may be exchanged and to apply the proceeds thereof towards the indemnity of the Government as the case may require; Provided that unless and until I make any default as aforesaid the interest of the said

securities or of any securities for which with such consent they may be exchanged shall be payable to me(*b*) Provided always that nothing herein contained nor the security hereby given shall be deemed to limit my liability in respect of the matters aforesaid to the forfeiture of the said sum of one thousand rupees (Rs. 1,000) only, and that should that sum be insufficient to recoup the Government in full for any loss or damage sustained by him in respect of the matter aforesaid I agree to pay to it on demand such further sum as shall be deemed by the Administrator General of Bombay necessary in addition to the said sum to cover such loss or damage as aforesaid.

Date Signature.

*We hereby declare ourselves sureties for the abovesaid that he shall do and perform all that he has above undertaken to do and perform and in case of his making default therein we hereby bind ourselves to forfeit to the Government the sum of one thousand rupees (Rs. 1,000) in which the abovesaid has bound himself or such smaller sum as shall be deemed sufficient by the Administrator General of Bombay to cover any loss or damage which the Government may sustain by reason of such default.

Date Signature.

The portions marked (*a*)—(*b*) may be cancelled when securities are offered.

* To be used when sureties are required in lieu of the deposit of Government securities.